



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gary L. Bennis

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For: TWO-STAGE FISHING BOBBER

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents Alexandria VA 22313-1450 on 2-6-04 by applicant's attorney, Carl L. Johnson.

Carl L. Johnson

2-6-04

Date

Honorable Commissioner of Patents and Trademarks  
Alexandria VA

**PRELIMINARY AMENDMENT**

The applicant hereby requests reconsideration of the 102 and 103 rejections contained in the office action of September 9, 2003 based on the Kotis reference 3,196,575.

Applicant's claim 18 stands rejected under 35 U.S.C. 102(b) as being anticipated by the reference of Kotis and claims 19-20 stands rejected under 35 U.S. C. 103. The rejection under 35 U.S. C. 102 is in error because the following features of claim 18 are not found in Kotis;

a member resiliently displaceable with respect to said bobber main body in response to a force on said member with the force on said member sufficient to overcome at least some if not all of the buoyant force of the bobber main body to thereby allow the simultaneous submersion of the bobber main body and the

displacement of the member with respect to the bobber main body so as to provide gradual resistance.

A review of Kotis shows he has the opposite, namely a stop which he describes in column 2 lines 16-17 "...until he float urges the bead 15 into stop engagement with the nearest end portion 13 of the coil..." (Emphasis added) It is submitted that the rejection of 102 is in error and corresponding the rejection under 35 U.S. C. 103 is also in error since Kotis as a primary reference does not anticipate.

Accompany this amendment is a declaration of the inventor Gary Bennis attesting to the commercial success of the claimed invention.

A notice of allowance is respectfully requested.

Respectfully submitted,

**JACOBSON AND JOHNSON**

By



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Enclosure